THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.8253 of 2007

Dated: 20.04.2007

Between:

Kundanlal Jaiswal and another.

..... PETITIONERS

AND

The State of Andhra Pradesh, rep. by its Secretary,
Hyderabad, and others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No.8253 of 2007

ORDER:

The two petitioners claim that they are owners of land admeasuring Acs.10.00 in survey No.36 situated at Upparapally Village. They allege that their names are mutated in the revenue records showing them as owners of the land to an extent of Acs.5.00 each. They also allege that after obtaining necessary permission from the Gram Panchayat, their father constructed poultry sheds and carrying on business in the name and style of M/s Vijay Poultry Farm. One Mohd. Abdul Mannan claiming himself to be lessee of Smt. Hameeda Begum filed W.P.No.12708 of 2006 seeking a declaration that the action of the Government and Rajendranagar Municipality, who are respondents therein, in trying to dispossess him as illegal. This Court in W.P.M.P.No.23608 of 2006 in W.P.No.12708 of 2006 passed interim orders directing the respondents not to interfere in the matter. The petitioners herein filed an application to get impleaded in W.P.No.12708 of 2006. Be that as it is, third respondent herein issued memo in Lr.No.B/5075/2005 dated 13.04.2007 to fourth respondent directing him to handover possession of land admeasuring Acs.5.00 in survey No.36 of said Village to fifth respondent as per the orders of the Government in G.O.Ms.No.209 dated 22.02.2007 and as directed by the District Collector, Ranga Reddy District, by proceedings No.LC2/2750/05 dated 11.04.2007. Aggrieved by the same, the petitioners filed instant writ petition seeking to invalidate the memo/communication of third respondent to fourth respondent.

After hearing the learned counsel for the petitioners and the learned Assistant Government Pleader for Revenue, this Court is of the considered opinion that unless and until the petitioners challenge the orders of the Government in G.O.Ms.No.209 dated 22.02.2007 whereunder land admeasuring Acs.5.00 in survey No.36 was alienated for market value to the Centre for Liver Research and Diagnostics for regenerative medicine (Stem Cell Therapy). Secondly, though an allegation is made that the petitioners are owners of land to an extent of Acs.5.00 each, no document is filed at least to show that they are owners. The writ petition, therefore, cannot be entertained and the same is accordingly dismissed. No costs.

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(**V.V.S.RAO, J**)

20th April, 2007

ghn